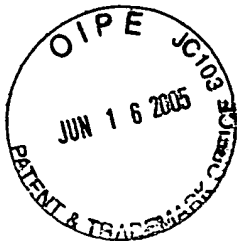


PCT

PATENT

Attorney Docket No.: (2772) 203-3099 PCT US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Ralph A. Stearns et al.

Examiner: To be Assigned

Serial No.: 10/529,566

Group Art Unit: To be Assigned

Filed: March 28, 2005

Dated: June 13, 2005

For: **ENDOSCOPIC RETRACTOR**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

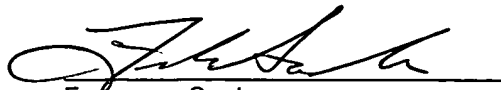
INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached PTO/SB/08a forms are brought to the attention of the Examiner. Copies of the cited U.S. patents and published U.S. patent applications are not provided pursuant to the waiver of this requirement under 37 C.F.R. §1.98 for national applications filed after June 30, 2003. A copy of the foreign reference is enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 13, 2005
Francesco Sardone

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

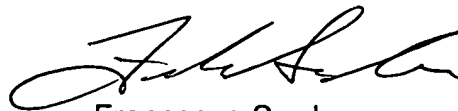
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☒ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.

- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

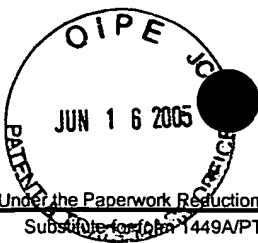
The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Francesco Sardone
Reg. No. 47,918
Attorney for Applicant(s)

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Suite 225
Melville, New York 11747
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Fax: (631) 501-3526



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 4

Complete if Known

Application Number	10/529,566
Filing Date	March 28, 2005
First Named Inventor	Stearns et al.
Art Unit	To Be Determined
Examiner Name	To Be Determined
Attorney Docket Number	2772 (203-3099 PCT US)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-3,831,587	08/27/1974	Boyd	
		US-3,857,386	12/31/1974	Ashbell	
		US-4,940,283	08/21/1990	Dzubow et al.	
		US-5,074,840	12/24/1991	Yoon	
		US-5,150,706	09/29/1992	Cox et al.	
		US-5,178,133	01/12/1993	Pena	
		US-5,245,987	09/21/1993	Redmond et al.	
		US-5,250,056	10/05/1993	Hasson	
		US-5,261,917	11/16/1993	Hasson et al.	
		US-5,267,554	12/07/1993	Wilk	
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		US-5,318,013	06/07/1994	Wilk	
		US-5,337,736	08/16/1994	Reddy	
		US-5,350,391	09/27/1994	Iacovelli	
		US-5,359,995	11/01/1994	Sewell, Jr.	
		US-5,362,294	11/08/1994	Seitzinger	
		US-5,374,261	12/20/1994	Yoon	
		US-5,501,653	03/16/1996	Chin	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 93/13713 A	07/22/1993	Moran et al.		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Number-Kind Code ² (if known)			
		US-5,507,796	04/16/1996	Hasson	
		US-5,549,627	08/27/1996	Kieturakis	
		US-5,549,636	08/27/1996	Li	
		US-5,582,577	12/10/1996	Lund et al.	
		US-5,593,443	01/14/1997	Carter et al.	
		US-5,613,939	03/25/1997	Failla	
		US-5,647,836	07/15/1997	Blake, III et al.	
		US-5,662,676	09/02/1997	Koninckx	
		US-5,735,845	04/07/1998	Zupkas	
		US-5,746,763	05/05/1998	Benderev et al.	
		US-5,775,661	07/07/1998	Matsumoto et al.	
		US-5,792,042	08/11/1998	Cohen et al.	
		US-5,810,721	09/22/1998	Mueller et al.	
		US-5,817,973	10/06/1998	Elco	
		US-5,891,162	04/06/1999	Sugarbaker et al.	
		US-5,954,057	09/21/1999	Li	
		US-5,968,074	10/19/1999	Prestel	
		US-5,993,461	11/30/1999	Abae	

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		Number-Kind Code ² (if known)			
		US-6,010,447	01/04/2000	Kardjian	
		US-6,027,519	02/22/2000	Stanford	
		US-6,039,686	03/21/2000	Kovac	
		US-6,042,534	03/25/2000	Gellman et al.	
		US-6,042,536	03/28/2000	Tihon et al.	
		US-6,048,309	04/11/2000	Flom et al.	
		US-6,068,591	05/30/2000	Bruckner et al.	
		US-6,077,214	06/20/2000	Mortier et al.	
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		US-6,165,121	12/26/2000	Alfermess	
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		US-6,221,005 B1	04/27/2001	Bruckner et al.	

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		Number-Kind Code ² (if known)			
		US-2001/0000533 A1	04/26/2001	Kovac	
		US-6,245,082 B1	06/12/2001	Gellman et al.	
		US-6,248,088 B1	06/19/2001	Yoon	
		US-6,067,990 A	05/30/2000	Kieturakis	
		US-6,248,062 B1	06/19/2001	Coraci et al.	
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